

ECF CASE
JUDGE PATTERSON

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

J & J SPORTS PRODUCTIONS, INC., as
Broadcast Licensee of the **May 5, 2007**
DeLaHoya/Mayweather Program,
Plaintiff,

-against-

AFFIDAVIT IN SUPPORT OF REQUEST FOR DEFAULT

Civil Action No. 07-cv-08852
HON. ROBERT P. PATTERSON

FIORDALIZA ALVAREZ, Individually, and as officer, director, shareholder and/or principal of C & F ENTERPRISES INC. d/b/a LA PALMA BAR & GRILL a/k/a ESCOBAR a/k/a ESCO BAR,

and

C & F ENTERPRISES INC. d/b/a LA PALMA
BAR & GRILL a/k/a ESCOBAR a/k/a ESCO BAR,
Defendants.

STATE OF NEW YORK :
: SS.:
COUNTY OF ULSTER :

JULIE COHEN LONSTEIN, being duly sworn, deposes and says:

1. That I am the attorney for plaintiff, **J & J SPORTS PRODUCTIONS, INC.**, in the above referenced matter and I am admitted to practice in this Court. I am fully familiar with all the facts, circumstances and proceedings heretofore had herein.

2. This action was commenced pursuant to 47 U.S.C. §605, *et seq.* A copy of the Summons and Complaint was served on Defendant, **FIORDALIZA ALVAREZ, Individually, and as officer, director, shareholder and/or principal of C & F ENTERPRISES INC. d/b/a LA PALMA BAR & GRILL a/k/a ESCOBAR a/k/a ESCO BAR**, was served as set forth in the proof of service by Noel Glastein, ECF Document No. 6 **and C & F ENTERPRISES INC.**

d/b/a LA PALMA BAR & GRILL a/k/a ESCOBAR a/k/a ESCO BAR, as set forth in the proof of service by Jessica Miller, ECF Document No.5.

1. The time within which any of the Defendants may answer or otherwise move with respect to the Complaint herein has expired. Defendants **FIORDALIZA ALVAREZ, Individually, and as officer, director, shareholder and/or principal of C & F ENTERPRISES INC. d/b/a LA PALMA BAR & GRILL a/k/a ESCOBAR a/k/a ESCO BAR, and C & F ENTERPRISES INC. d/b/a LA PALMA BAR & GRILL a/k/a ESCOBAR a/k/a ESCO BAR**, have not answered or otherwise moved with respect to the Complaint; and the time for the Defendant(s) to do so has not been extended.

4. Said Defendant(s) are not infants or incompetents. Upon information and belief, Defendant(s) are not presently in the military service of the United States.

WHEREFORE, Plaintiff **J & J SPORTS PRODUCTIONS, INC.**, requests that the default of the Defendant(s) **FIORDALIZA ALVAREZ, Individually, and as officer, director, shareholder and/or principal of C & F ENTERPRISES INC. d/b/a LA PALMA BAR & GRILL a/k/a ESCOBAR a/k/a ESCO BAR, and C & F ENTERPRISES INC. d/b/a LA PALMA BAR & GRILL a/k/a ESCOBAR a/k/a ESCO BAR**, be noted and that judgment be entered in favor of plaintiff and against defendants in the manner stated herein.

Dated: January 14, 2008
Ellenville, NY 12428

Sworn to before me this 14th
day of November, 2008

/S/ Julie Cohen Lonstein
Julie Cohen Lonstein
Bar Roll No. JL8512

/s/ April Draganchuk
April Draganchuk
Notary Public State of New York
Registration No. 4945872
Residing in Ulster County
My Commission Expires Jan. 27, 2011